

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

JOHN S. WILLIAMSON, and  
NANCY L. WILLIAMSON,

Plaintiffs,

vs.

No. CIV 03-0570 JB/WDS

JACKIE SENA, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

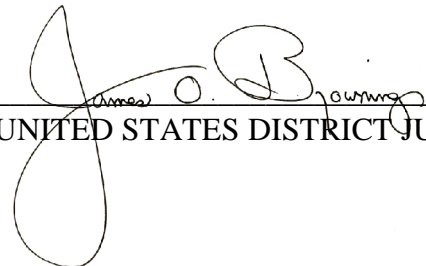
**THIS MATTER** comes before the Court on Dos Piedras, L.L.C.'s Amended Motion to Intervene for the Limited Purpose of Seeking Release of Lis Pendens, filed June 24, 2004 (Doc. 45). The issue is whether the Court has jurisdiction to allow intervention into a case that has been resolved and terminated. Because the motion does not address the Court's jurisdiction to entertain this motion, and because it does not otherwise show under rule 24 of the Federal Rules of Civil Procedure that intervention into a terminated case is appropriate, the Court will deny Plaintiff in Intervention Dos Piedras, L.L.C.'s motion without prejudice to renew that motion to intervene if it continues to want the Court to deal with that issue in this closed case.

**ANALYSIS**

The Court announced it would dismiss this case on May 12, 2004, and entered final judgment on May 18, 2004, this case is thus terminated. The Court does not know whether it has jurisdiction to make any further orders in this case. Moreover, even if the Court has jurisdiction, the motion to intervene does not provide sufficient information for the Court to determine whether the requested order allowing intervention under rule 24 would be appropriate in a closed case.

If Dos Piedras, L.L.C. continues to want a court order in this case, it shall file a motion to intervene and supporting memorandum advising the Court: (i) whether and how the Court has jurisdiction to entertain a motion to intervene in a terminated case; and (ii) if so, why the Court should permit intervention under rule 24 into a closed case. The Court notes that the Plaintiffs re-filed their claims on May 17, 2004 in the matter of Williamson v. Sena, et al., No. CIV 04-0537 RHS/LFG (D.N.M.). The motion and memorandum should also address why intervention in this closed case would be more appropriate than in the new case.

**IT IS ORDERED** that Dos Piedras, L.L.C.'s Amended Motion to Intervene for the Limited Purpose of Seeking Release of Lis Pendens is denied without prejudice to the movant asking the Court again with more information whether the requested order is proper and appropriate.



UNITED STATES DISTRICT JUDGE

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